S.B.Cr.Misc. Bail Appli. No.5110/2007

(Makana Vs. State of Rajasthan)

Date of order : December 07, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Shambhoo Singh, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned. I have gone through the statements of the prosecutrix and other witnesses.

Looking to the serious allegation of rape, I do not find it a fit case to release the petitioner on bail at this stage.

The bail application filed by the petitioner under section 439 Cr.P.C. is, therefore, dismissed. However, it will be open for the petitioner to move a fresh bail application after the statement of the prosecutrix is recorded by the trial court. The trial court is directed to record the statement of the prosecutrix on the priority basis.

(H.R.PANWAR),J.

m.asif/-